

LAW OFFICES
HANCOCK & LANE, P.A.

300 SPRING STREET, STE. 220
LITTLE ROCK, ARKANSAS 72201

JONATHAN T. LANE
C. DANIEL HANCOCK
Attorneys at Law

TELEPHONE (501) 372-6400
FACSIMILE (501) 372-6401
email: jtlane@justice.com
email: hancock@justice.com

December 7, 2004

Mr. Brant Levine
Federal Election Commission
999 E Street NW
Washington, D.C. 20463

RE: MUR 5366
BRENDA GWIN

Dear Mr. Levine:

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

2004 DEC 14 A 11:36

Ms. Gwin hereby submits a factual background for the Commission's consideration, and states that any violation of 2 U.S.C. 441(f) or other relevant provision was neither a knowing or willful violation, nor a deliberate attempt at circumventing the provision.

Tab Turner, an attorney practicing in North Little Rock, Arkansas hosted a fundraiser for the John Edwards Campaign on February 22, 2003. Ms. Gwin, as office manager, bore much responsibility in making preparations to ensure full attendance to the event. As the event drew near, it became clear that the desired attendance level would not be met. Mr. Turner instructed Ms. Gwin to ask four of the office staff to make donations to the Edwards Campaign in the amount of two thousand dollars per person. Mr. Turner assured Ms. Gwin that each legal assistant would be reimbursed.

Acting under instructions from Mr. Turner, Ms. Gwin requested and received four donations from the four legal assistants made payable to the Edwards Campaign. Ms. Gwin operated with the belief that the underlying goal of the donations was to increase the appearance of "head-count" at the fundraiser, and was unaware of any restrictions regarding reimbursement of donations.

Since this matter has arisen, Ms. Gwin has fully cooperated with the Federal Election Commission

26044141295

Sincerely,



Jonathan T. Lane

26044141296